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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/827,042	04/05/2001	Norman S. Martucci	79287.21620	4862	
30734	7590 07/20/2006		EXAMINER		
	HOSTETLER LLP ON SQUARE, SUITE 1	HOOK, JAMES F			
1050 CONNECTICUT AVE. N.W.		100	ART UNIT	PAPER NUMBER	
WASHINGTO	ON, DC 20036-5304		3754		
			DATE MAILED: 07/20/2000	6	

Please find below and/or attached an Office communication concerning this application or proceeding.

(

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
09/827,042	MARTUCCI ET AL.		
Examiner	Art Unit		
James F. Hook	3754		

	James F. Hook	3754	
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress
THE REPLY FILED <u>06 July 2006</u> FAILS TO PLACE THIS APPL	ICATION IN CONDITION FOR AL	LOWANCE.	
1. The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	ving replies: (1) an amendment, aft tice of Appeal (with appeal fee) in (idavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)
a) The period for reply expires <u>3</u> months from the mailing date	of the final rejection.		
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire is Examiner Note: If box 1 is checked, check either box (a) or (ater than SIX MONTHS from the mailing (b). ONLY CHECK BOX (b) WHEN THE	g date of the final rejecti	on.
TWO MONTHS OF THE FINAL REJECTION. See MPEP 70 Extensions of time may be obtained under 37 CFR 1.136(a). The date	**	36(a) and the appropria	te extension fee
have been filed is the date for purposes of determining the period of extunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amount shortened statutory period for reply orig than three months after the mailing da	of the fee. The appropr inally set in the final Offi	iate extension fee ce action; or (2) as
 The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter a Notice of Appeal has been filed, any reply must be filed 	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of th	
<u>AMENDMENTS</u>			
3. The proposed amendment(s) filed after a final rejection, (a) They raise new issues that would require further co (b) They raise the issue of new matter (see NOTE belo	nsideration and/or search (see NO		ecause
(c) ☐ They are not deemed to place the application in bet appeal; and/or	ter form for appeal by materially re	ducing or simplifying	the issues for
(d) They present additional claims without canceling a	corresponding number of finally rej	ected claims.	
NOTE: See Continuation Sheet. (See 37 CFR 1.1	16 and 41.33(a)).		
4. 🔲 The amendments are not in compliance with 37 CFR 1.13	21. See attached Notice of Non-Co	mpliant Amendment	(PTOL-324).
5. $\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \$		•	
 Newly proposed or amended claim(s) would be al non-allowable claim(s). 	·	•	_
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is provided that the status of the claim(s) is (or will be) as follows: Claim(s) allowed:		ll be entered and an e	explanation of
Claim(s) allowed: Claim(s) objected to:			
Claim(s) rejected: <u>1-3, 6-14, 16, 17, and 19</u> . Claim(s) withdrawn from consideration:		••	
AFFIDAVIT OR OTHER EVIDENCE			
 The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e). 			
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to of showing a good and sufficient reasons why it is necessary	vercome all rejections under appe	al and/or appellant fai	Is to provide a
10. ☐ The affidavit or other evidence is entered. An explanatio REQUEST FOR RECONSIDERATION/OTHER	n of the status of the claims after e	ntry is below or attact	ned.
11. The request for reconsideration has been considered but	t does NOT place the application is	n condition for allowa	nce because:
12. Note the attached Information Disclosure Statement(s).	(PTO/SB/08 or PTO-1449) Paper N	lo(s)	
13.	\mathcal{C}	James F. Hook Primary Examiner Art Unit: 3754	

U.S. Patent and Trademark Office PTOL-303 (Rev. 7-05) Continuation of 3. NOTE: the proposed additional language to claims 1, 16 and 17 directed to "substantially continuously" as argued in the remarks are a new issue requiring further search and/or consideration, and in claim 16 directed the extension of the jacket with regards to the braid which was not previously required in the embodiment of claim 16, is also a new issue to that embodiment requiring further search and consideration.